

April 15, 2020

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Schumer  
Minority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi, and Minority Leader McCarthy:

As you develop the next bill in response to COVID-19, we urge you to include language to reinstate Medicaid eligibility for citizens of the Freely Associated States (FAS) living in the United States. We are bipartisan cosponsors of standalone legislation, the Covering Our FAS Allies Act (S. 2218/H.R. 4821) that would reinstate their Medicaid eligibility, and stand ready to work with you to enact this fix into law so citizens of the FAS legally present in our country have equal access to health care services, which is of increased importance during the COVID-19 emergency.

The United States maintains a unique and strategically important relationship with the governments of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau (collectively the FAS). Under the Compacts of Free Association (COFA) with these three nations, the United States has exclusive military use rights in these countries that enable critical access in the Asia-Pacific region. In exchange, COFA citizens may enter into the United States to live, work, and study without a visa. They are legally present in the United States under the Compacts.

Today, at least 61,000 COFA citizens reside in the United States. Prior to 1996, COFA citizens were eligible for federal benefits including Medicaid because they were considered “permanently residing under color of law”. However, with the passage in 1996 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) COFA citizens were excluded from Medicaid eligibility. Although the 1996 law allows access to benefits, including Medicaid, for persons who are present in the country legally and indefinitely, COFA citizens were inexplicably excluded, despite their unique status under the Compacts. This drafting oversight effectively ended COFA citizens’ access to Medicaid.

As the United States confronts the COVID-19 pandemic, it is vital that individuals in our communities can access testing and treatment so they can care for themselves and help prevent

additional transmission of the virus. To that end, we urge you to include language in upcoming COVID-19 response legislation to restore COFA citizens' eligibility to Medicaid so they can access the health care they need during this pandemic.

Sincerely,



Mazie K. Hirono  
United States Senator



Tony Cárdenas  
Member of Congress



Aumua Amata Coleman Radewagen  
Member of Congress



Raúl M. Grijalva  
Member of Congress



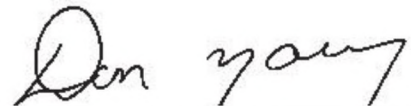
Tulsi Gabbard  
Member of Congress



Adam Smith  
Member of Congress



Ed Case  
Member of Congress



Don Young  
Member of Congress



Steve Womack  
Member of Congress



Brian Schatz  
United States Senator



Jeffrey A. Merkley  
United States Senator



**EMBASSY OF THE REPUBLIC OF THE MARSHALL ISLANDS**

2433 Massachusetts Avenue, N.W.,

Washington, D.C. 20008

Tel. # (202) 234-5414 \* Fax # (202) 232-3236 \* E-mail: [info@rmiembassyus.org](mailto:info@rmiembassyus.org)

May 5, 2020

The Honorable Tony Cardenas  
U.S. House of Representatives  
2438 Rayburn HOB  
Washington DC, 20515

Dear Congressman Cardenas,

In this time of great need, I am writing to thank you for your introduction of the Covering our FAS Allies Act (HR. 4821) and sending the recent letter to Congressional leadership urging the inclusion of this provision in upcoming legislation to address the economic and health impacts of the COVID-19 pandemic.

The Republic of the Marshall Islands (RMI) is proud of our special and unique relationship with the United States. Through our Compact of Free Association, the U.S. has full authority and responsibility for RMI national security and operates the preeminent Ronald Reagan Ballistic Missile Defense Test Site on our Kwajalein Atoll.

Our Compact also permits Marshallese citizens to work, live, and study in the United States without a visa, as legal nonimmigrants. Our young men and women serve in the U.S. military, volunteering at per capita rates higher than many U.S. states.

In 1996, Congress passed sweeping welfare reform legislation that had the unintended effect of ending Medicaid eligibility for Marshallese citizens legally residing in the U.S. under the terms of our Compact. This unintended omission is having serious consequences today. To date, there are 60 confirmed cases of COVID-19 in our Marshallese communities throughout the United States. Six of these have succumbed to the illness.

As the U.S. and RMI confront the global pandemic as allies, it is important that our people have the resources to treat the COVID-19 virus and stop its spread. The danger we face today has exposed the serious consequences of omitting U.S. based citizens from the Republic of the Marshall Islands (and our fellow Freely Associated States of Palau and the Federated States of Micronesia) from the federal Medicaid program.



Our reinstatement in the federal Medicaid program is critical not just from a public health perspective but also as a basic matter of diplomacy to honor the terms and spirit of our Compact.

Your continued leadership on this matter is greatly appreciated.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be "Gerald M. Zackios", written over a circular stamp or seal.

Gerald M. Zackios  
Ambassador



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May 5, 2020

The Honorable Ron Wyden  
U.S. Senate  
221 Dirksen Senate Office Building  
Washington DC, 20510

Dear Senator Wyden,

In this time of great need, I am writing to seek your support for the Covering our FAS Allies Act (S. 2218) and to urge the inclusion of language to reinstate Medicaid coverage for U.S.-based citizens of the Freely Associated States (FAS) in upcoming COVID-19 pandemic legislation.

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Gerald M. Zackios  
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May 5, 2020

The Honorable Tulsi Gabbard  
U.S. House of Representatives  
1433 Longworth HOB  
Washington DC, 20515

Dear Congresswoman Gabbard,

In this time of great need, I am writing to thank you for your support of the Covering our FAS Allies Act (H.R. 4821) and signing the April 15 letter to Congressional leadership urging the inclusion of language to reinstate Medicaid coverage for U.S.-based citizens of the Freely Associated States (FAS) in upcoming COVID-19 pandemic legislation.

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As the U.S. and RMI confront the global pandemic as allies, it is important that our people have the resources to treat the COVID-19 virus and stop its spread. The danger we face today has exposed the serious consequences of omitting U.S. based citizens from the Republic of the Marshall Islands (and our fellow Freely Associated States of Palau and the Federated States of Micronesia) from the federal Medicaid program in Hawaii and across the country.

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Gerald M. Zackios  
Ambassador

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May 5, 2020

The Honorable Ed Case  
U.S. House of Representatives  
2443 Rayburn HOB  
Washington DC, 20515

Dear Congressman Case,

In this time of great need, I am writing to thank you for your support of the Covering our FAS Allies Act (H.R. 4821) and for signing the April 15 letter to Congressional leadership urging the inclusion of language to reinstate Medicaid coverage for U.S.-based citizens of the Freely Associated States (FAS) in upcoming COVID-19 pandemic legislation.

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Gerald M. Zackios  
Ambassador





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May 5, 2020

The Honorable Raul Grijalva  
Chairman  
House Committee on Natural Resources  
1511 Longworth HOB  
Washington DC, 20510

Dear Chairman Grijalva,

In this time of great need, I am writing to thank you for your support of the Covering our FAS Allies Act (H.R. 4821) and for signing the April 15 letter to Congressional leadership urging the inclusion of language to reinstate Medicaid coverage for U.S.-based citizens of the Freely Associated States (FAS) in upcoming COVID-19 pandemic legislation.

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May 5, 2020

The Honorable Don Young  
U.S. House of Representatives  
2314 Rayburn HOB  
Washington DC, 20515

Dear Congressman Young,

In this time of great need, I am writing to thank you for your support of the Covering our FAS Allies Act (H.R. 4821) and for signing the April 15 letter to Congressional leadership urging the inclusion of language to reinstate Medicaid coverage for U.S.-based citizens of the Freely Associated States (FAS) in upcoming COVID-19 pandemic legislation.

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May 5, 2020

The Honorable Adam Smith  
Chairman  
House Committee on Armed Services  
U.S. House of Representatives  
2264 Rayburn HOB  
Washington DC, 20515

Dear Chairman Smith,

In this time of great need, I am writing to thank you for your support of the Covering our FAS Allies Act (H.R.4821) and for signing the April 15 letter to Congressional leadership urging the inclusion of language to reinstate Medicaid coverage for U.S.-based citizens of the Freely Associated States (FAS) in upcoming COVID-19 pandemic legislation.

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In 1996, Congress passed sweeping welfare reform legislation that had the unintended effect of ending Medicaid eligibility for Marshallese citizens legally residing in the U.S. under the terms of our Compact. This unintended omission is having serious consequences today. To date, there are 60 confirmed cases of COVID-19 in our Marshallese communities throughout the United States, including Washington. Six of these have succumbed to the illness.

As the U.S. and RMI confront the global pandemic as allies, it is important that our people have the resources to treat the COVID-19 virus and stop its spread. The danger we face today has exposed the serious consequences of omitting U.S. based citizens from the Republic of the Marshall Islands (and our fellow Freely Associated States of Palau and the Federated States of Micronesia) from the federal Medicaid program.

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**“The Disproportionate Impact of COVID-19 on Communities of Color”  
Ways & Means Committee  
May 28, 2020**

**Statement of H.E. Gerald Zackios, Ambassador  
The Embassy of the Republic of the Marshall Islands**

As the United States and the Republic of the Marshall Islands (RMI) confront the global pandemic as allies, the incidence and impact of COVID-19 on Marshallese residing in the United States has become a topic of great concern.

There have been more than 150 cases of COVID-19 in the U.S. Marshallese community and more than 15 fatalities. These numbers are significant given the size of our U.S. based population of roughly 20,000, many of whom arrived in the U.S. to seek better work, education, and medical opportunities.

Many Marshallese are employed in the meat and poultry industry or processing facilities, and in other service industries. Given the nature of their jobs, these individuals have greater exposure to the coronavirus and higher risk of spreading the virus within their multigenerational households. They continue in their jobs as essential workers today.

The incidence from COVID-19 among Marshallese living in the U.S. tracks closely with RMI employment in these meat and poultry processing facilities. Our cases are centered among our workers in Arkansas, Iowa and Ohio, with additional cases in Utah, Colorado, Washington and Hawaii.

To complicate the situation further, Marshallese and other Pacific Island populations tend to have more chronic diseases than the average U.S. population. Diabetes is particularly prevalent. Cancer rates are also unusually high among the Marshallese, a situation commonly attributed to the extensive nuclear testing that the U.S. conducted in the RMI between 1946 and 1958. The residual nuclear waste remains on our islands today.

The Government of the Republic of the Marshall Islands (RMI) has an extremely close relationship with the United States that spans over seven decades. In 1986, the United States and the Marshall Islands signed a Compact of Free Association, which when approved by Congress and the U.N. Security Council ended the RMI's status as a territory administered by the United States.



The Compact outlines a “special and unique” relationship between our two countries. Under the terms of the agreement, Marshallese are free to live and work in the U.S. as legal nonimmigrants and the U.S. controls all aspects of RMI national defense security.

The RMI is proud of our sons and daughters serving in the U.S. Armed Forces and to host the preeminent Ronald Reagan Ballistic Missile Defense Test Site on our Kwajalein Atoll.

We also appreciate the importance of the right of strategic denial granted to the U.S. under the terms of our Compact, which permits the U.S. to deny other nations access to RMI’s lands and waters, an expansive area in a geopolitically sensitive area of the North Pacific roughly the size of Texas.

The terms of the Compact also explicitly provide health care resources for the Republic of the Marshall Islands as well as areas of the U.S. that are home to significant Marshallese communities.

Consistent with the letter and spirit of the Compact, Marshallese residents of the United States were included in the federal Medicaid program until 1996 when The Personal Responsibility and Work Opportunity Reconciliation Act incidentally ended Medicaid coverage for RMI legal nonimmigrants in a provision intended to curtail federal benefits for immigrants.

The Embassy of the Republic of the Marshall Islands is grateful to the House of Representatives for fixing this error and reinstating Medicaid coverage for Marshallese legal nonimmigrants in the U.S. in the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act. We hope this provision will become law soon.

Marshallese access to domestic healthcare funding is critical not just from a public health perspective but also as a basic matter of diplomacy. It is important that Marshallese communities supporting essential workers in U.S. meat and poultry processing plants and other areas have the resources needed to treat the COVID-19 virus and stop its spread.

Your continued leadership on this matter is greatly appreciated.

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May 5, 2020

The Honorable Nancy Pelosi  
Speaker  
235 Canon HOB  
Washington DC, 20515

Dear Speaker Pelosi,

In this time of great need, I am writing to thank you for adding language to reinstitute Medicaid coverage to Marshallese residents of the U.S in the Take Responsibility for Workers and Families Act (H.R. 6379) and to urge the inclusion of this provision in upcoming legislation to address the economic and health impacts of the COVID-19 pandemic.

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Gerald M. Zackios  
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